

SENATE BILL NO. 158—SENATOR GUSTAVSON

FEBRUARY 16, 2011

Referred to Committee on Natural Resources

SUMMARY—Revises provisions governing the frequency of required inspections of the emissions of certain motor vehicles. (BDR 40-310)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to air pollution; revising provisions governing the frequency of required inspections of the emissions of certain motor vehicles; revising the fees charged by the Department of Motor Vehicles for certain forms; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law requires the State Environmental Commission, in cooperation with
2 the Department of Motor Vehicles and any local air pollution control agency, to
3 adopt regulations for the control of emissions from motor vehicles in areas
4 designated by the Commission. (NRS 445B.770) Existing law also imposes
5 limitations on compulsory inspection programs established by the Commission.
6 (NRS 445B.795)

7 **Section 1** of this bill further limits the authority of the State Environmental
8 Commission by requiring that the regulations adopted by the Commission require:
9 (1) the initial inspection of a new passenger car or new light-duty motor vehicle 3
10 years after the initial registration of the vehicle; and (2) the subsequent inspection
11 of a passenger car or light-duty motor vehicle not more often than every 2 years,
12 except that if a vehicle fails a required inspection, the regulations must provide for
13 annual inspections of the vehicle thereafter.

14 Existing law requires the Department of Motor Vehicles to charge a fee for the
15 forms distributed to certify emission control compliance in the amount of \$6 per
16 form and \$150 per set of forms. (NRS 445B.830) Because **section 1** specifies that
17 inspections for emission control compliance must not be conducted more often than
18 every 2 years, **section 2** of this bill raises the fees to \$12 per form and \$300 per set
19 in order to not affect the funding of the Pollution Control Account.



* S B 1 5 8 R 1 *

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 445B.795 is hereby amended to read as
2 follows:

3 445B.795 The authority set forth in NRS 445B.770 providing
4 for a compulsory inspection program is limited as follows:

5 1. In a county whose population is 100,000 or more, the
6 following categories of motor vehicles which are powered by motor
7 vehicle fuel or special fuel and require inspection pursuant to the
8 regulations adopted by the Commission under NRS 445B.770 are
9 required to have evidence of compliance upon registration or
10 reregistration:

11 (a) All passenger cars;

12 (b) Light-duty motor vehicles;

13 (c) Heavy-duty motor vehicles that are powered by diesel fuel
14 and have a manufacturer's gross vehicle weight rating which does
15 not exceed 14,000 pounds; and

16 (d) Heavy-duty motor vehicles that are powered by motor
17 vehicle fuel or special fuel, excluding diesel fuel.

18 2. In areas which have been designated by the Commission for
19 inspection programs and which are located in counties whose
20 populations are 100,000 or more, all used motor vehicles which
21 require inspection pursuant to the regulations adopted by the
22 Commission under NRS 445B.770 are required to have evidence of
23 compliance upon registration or reregistration.

24 3. In designated areas in other counties where the Commission
25 puts a program into effect, all used motor vehicles which require
26 inspection pursuant to the regulations adopted by the Commission
27 under NRS 445B.770 are required to have evidence of compliance
28 upon registration or reregistration.

29 4. The board of county commissioners of a county containing a
30 designated area may revise its program for the designated area after
31 receiving the approval of the Commission.

32 5. Before carrying out the inspections of vehicles required
33 pursuant to the regulations adopted by the Commission pursuant to
34 NRS 445B.770, the Commission shall, by regulation, adopt testing
35 procedures and standards for emissions for those vehicles.

36 ***6. The regulations adopted by the Commission pursuant to***
37 ***NRS 445B.770 must require that:***

38 ***(a) The initial inspection of a new passenger car or new light-***
39 ***duty motor vehicle be conducted 3 years after initial registration of***
40 ***the vehicle;***

41 ***(b) Except as otherwise provided in paragraph (a) or (c), the***
42 ***inspection of a passenger car or light-duty motor vehicle be***
43 ***conducted not more often than every 2 years; and***



1 (c) *If a passenger car or light-duty motor vehicle fails a*
2 *required inspection, the vehicle must be inspected annually*
3 *thereafter.*

4 **Sec. 2.** NRS 445B.830 is hereby amended to read as follows:

5 445B.830 1. In areas of the State where and when a program
6 is commenced pursuant to NRS 445B.770 to 445B.815, inclusive,
7 the following fees must be paid to the Department of Motor
8 Vehicles and accounted for in the Pollution Control Account, which
9 is hereby created in the State General Fund:

10 (a) For the issuance and annual renewal of a license
11 for an authorized inspection station, authorized
12 maintenance station, authorized station or fleet station.....\$25

13 (b) For each set of 25 forms certifying emission
14 control compliance ~~150~~ 300

15 (c) For each form issued to a fleet station ~~6~~ 12

16 2. Except as otherwise provided in subsections 6, 7 and 8, and
17 after deduction of the amounts distributed pursuant to subsection 4,
18 money in the Pollution Control Account may, pursuant to legislative
19 appropriation or with the approval of the Interim Finance
20 Committee, be expended by the following agencies in the following
21 order of priority:

22 (a) The Department of Motor Vehicles to carry out the
23 provisions of NRS 445B.770 to 445B.845, inclusive.

24 (b) The State Department of Conservation and Natural
25 Resources to carry out the provisions of this chapter.

26 (c) The State Department of Agriculture to carry out the
27 provisions of NRS 590.010 to 590.150, inclusive.

28 (d) Local governmental agencies in nonattainment or
29 maintenance areas for an air pollutant for which air quality criteria
30 have been issued pursuant to 42 U.S.C. § 7408, for programs related
31 to the improvement of the quality of the air.

32 (e) The Tahoe Regional Planning Agency to carry out the
33 provisions of NRS 277.200 with respect to the preservation and
34 improvement of air quality in the Lake Tahoe Basin.

35 3. The Department of Motor Vehicles may prescribe by
36 regulation routine fees for inspection at the prevailing shop labor
37 rate, including, without limitation, maximum charges for those fees,
38 and for the posting of those fees in a conspicuous place at an
39 authorized inspection station or authorized station.

40 4. The Department of Motor Vehicles shall make quarterly
41 distributions of money in the Pollution Control Account to local
42 governmental agencies in nonattainment or maintenance areas for an
43 air pollutant for which air quality criteria have been issued pursuant
44 to 42 U.S.C. § 7408. The distributions of money made to agencies in
45 a county pursuant to this subsection must be made from an amount



1 of money in the Pollution Control Account that is equal to one-sixth
2 of the amount received for each form issued in the county pursuant
3 to subsection 1.

4 5. Each local governmental agency that receives money
5 pursuant to subsection 4 shall, not later than 45 days after the end of
6 the fiscal year in which the money is received, submit to the
7 Director of the Legislative Counsel Bureau for transmittal to the
8 Interim Finance Committee a report on the use of the money
9 received.

10 6. The Department of Motor Vehicles shall by regulation
11 establish a program to award grants of money in the Pollution
12 Control Account to local governmental agencies in nonattainment or
13 maintenance areas for an air pollutant for which air quality criteria
14 have been issued pursuant to 42 U.S.C. § 7408, for programs related
15 to the improvement of the quality of the air. The grants to agencies
16 in a county pursuant to this subsection must be made from any
17 excess money in the Pollution Control Account. As used in this
18 subsection, "excess money" means the money in excess of
19 \$1,000,000 remaining in the Pollution Control Account at the end of
20 the fiscal year, after deduction of the amounts distributed pursuant
21 to subsection 4 and any disbursements made from the Account
22 pursuant to subsection 2.

23 7. Any regulations adopted pursuant to subsection 6 must
24 provide for the creation of an advisory committee consisting of
25 representatives of state and local agencies involved in the control of
26 emissions from motor vehicles. The committee shall:

27 (a) Review applications for grants and make recommendations
28 for their approval, rejection or modification;

29 (b) Establish goals and objectives for the program for control of
30 emissions from motor vehicles;

31 (c) Identify areas where funding should be made available; and

32 (d) Review and make recommendations concerning regulations
33 adopted pursuant to subsection 6 or NRS 445B.770.

34 8. Grants proposed pursuant to subsections 6 and 7 must be
35 submitted to the appropriate deputy director of the Department of
36 Motor Vehicles and the Administrator of the Division of
37 Environmental Protection of the State Department of Conservation
38 and Natural Resources. Proposed grants approved by the appropriate
39 deputy director and the Administrator must not be awarded until
40 approved by the Interim Finance Committee.

41 **Sec. 3.** This act becomes effective on July 1, 2011.

